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## Third Committee

### Summary record of the 28th meeting

Held at Headquarters, New York, on Monday, 28 October 2002, at 3 p.m.

Chairman: Mr. Wenaweser ..... (Liechtenstein)  
later: Mr. Morikawa (Vice-Chairman) ..... (Japan)

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\* Items which the Committee has decided to consider together.

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*The meeting was called to order at 3.05 p.m.*

**Agenda item 105: Promotion and protection of the rights of children (continued)** (A/C.3/57/L.24 Rev.1)

*Draft resolution A/C.3/57/L.24/Rev.1: The girl child*

1. **Ms. Muuondjo** (Namibia), speaking on behalf of the Southern African Development Community (SADC) and the other sponsors listed in the document as well as on behalf of Poland, introduced the draft resolution and announced that paragraph 16 had been deleted pending further consultations.
2. **The Chairman** announced that Belarus, El Salvador, Indonesia, Panama and Uruguay had joined the sponsors of the draft resolution.

**Agenda item 106: Programme of activities of the International Decade of the World's Indigenous People (continued)** (A/C.3/57/L.27)

*Draft resolution A/C.3/57/L.27: International Decade of the World's Indigenous People*

3. **Ms. Rodsmoen** (Norway), speaking on behalf of the Nordic countries and the other sponsors, as well as on behalf of Armenia, China, Guyana, Luxembourg, the former Yugoslav Republic of Macedonia, Peru, Portugal and Venezuela, introduced the draft resolution.
4. **The Chairman** announced that Austria, Bolivia, Costa Rica, El Salvador, Italy, Nigeria, Panama and the Democratic Republic of the Congo had joined the sponsors of the draft resolution.

**Agenda item 107: Elimination of racism and racial discrimination (continued)** (A/57/3 (Parts I and II))

- (a) **Elimination of racism and racial discrimination (continued)** (A/57/18, A/57/83-E/2002/72, A/57/204, 333 and 334)
- (b) **Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (continued)** (A/57/443 and 444)

**Agenda item 108: Right of peoples to self-determination (continued)** (A/57/178 and 312)

*Continuation of the general discussion*

5. **Mr. Amorós Núñez** (Cuba) said that the right of peoples to self-determination and respect for the sovereign equality of all States were immutable pillars of international law. That principle had been maintained by the struggle of peoples under the colonial yoke and foreign occupation. Cuba was profoundly concerned over Israel's prolonged illegal occupation of Palestinian territory and hoped that sooner rather than later the international community would see a free and independent Palestinian State in Gaza and the West Bank, southern Lebanon totally liberated and demined, and the Golan restored to Syrian sovereignty.
6. There existed other forms of violation of the exercise of the right to self-determination that were no less harmful, especially the impending threats against developing countries, based on a new policy of force in an increasingly unipolar world and on theories that underpinned the so-called right of intervention. A part of Cuban territory continued to be usurped illegally by the United States of America against the will of the Cuban people. The Guantánamo Naval Base was a scar on the independence, sovereignty and territorial integrity of Cuba. Furthermore, it was essential to resolve the colonial situation of Puerto Rico, occupied by the United States since the end of the nineteenth century. Since 1972, the Special Committee on Decolonization had recognized the right of the Puerto Rican people to self-determination.
7. In times of so-called international peace, recourse was even had to mercenaries in order to violate the self-determination of certain peoples and their enjoyment of human rights. Consequently, Cuba supported the investigative work of the Special Rapporteur on the question of the use of mercenaries, who gathered valuable information and denounced all new mercenary activities. Cuba endorsed the conclusion contained in the Special Rapporteur's report (A/57/178) regarding the expansion of those activities to include terrorism and covert operations and regarding new forms of the use of mercenaries against their own countries of origin, in the service of a foreign Power and financed by it. Cuba supported the recommendation to include the mercenary aspect in United Nations analysis and resolutions on terrorism.

For more than 40 years, mercenaries had been used against Cuba for terrorist purposes, as part of the policy of hostility of the Government of the United States. With total impunity and with the complicity of the authorities, various organizations of a terrorist nature, such as the Cuban-American National Foundation, organized and financed the recruitment of mercenaries to be used against Cuba. Recently, attempts had been made to abort the trial of four terrorists who had made an attempt on the life of the Cuban President in Panama in November 2000. Cuba demanded that justice should be done and that they should be punished as required by law. State terrorism and terrorist acts that were encouraged or tolerated by States must be vehemently condemned, since those who advocated the impunity of such acts contributed in fact to the perpetuation of terrorism.

8. **Mr. Taihitu** (Indonesia) associated himself with the statement made by the representative of Venezuela on behalf of the Group of 77 and China. Indonesia's National Plan of Action on Human Rights for 1998-2003 contained a series of concrete goals in various areas and national priorities for the development of democracy, including human rights initiatives. Such priorities must be determined by each country in accordance with its needs, culture, customs and resources. Emerging democracies required the support of the established democracies, because institutions that had evolved over decades or even centuries in other countries could not be expected to spring up overnight in nascent democracies. The Government had made progress in implementing the National Plan of Action. The Constitution had been amended in 2000, guaranteeing every person freedom from discrimination. In addition to ratifying the Convention on the Elimination of All Forms of Racial Discrimination and other instruments, a standing committee had been formed to implement the National Plan of Action. The Government was also reviewing all existing laws to ensure that they were enforced in a non-discriminatory fashion, and a bill on the elimination of racial and ethnic discrimination was under consideration. As a result of the recent attack on innocent civilians in Bali, anti-terrorism legislation had been enacted. The Government noted with concern that racism appeared to be on the rise worldwide. The most troublesome factor was that racists would squander one of mankind's most valuable resources, diversity. The Indonesian people recognized that national development would be meaningful only if it

strengthened the unity of the diverse peoples who formed the nation.

9. Concerning self-determination, Indonesia believed that ending the suffering of the Palestinian people, which was in no small way attributable to racism, required the full withdrawal of Israel from all occupied Arab lands, respect for the right of all States in the region to live within secure and internationally recognized boundaries and the right of the Palestinian people to self-determination, including the establishment of a Palestinian State with Al-Quds-Al-Sharif (Jerusalem) as its capital.

10. **Mr. Bueser** (Philippines) said that a milestone had been reached in the elimination of racial discrimination with the full endorsement by the General Assembly of the Durban Declaration and Programme of Action. Member States' efforts in that regard should be supplemented by actions at the international level, including the establishment of an intergovernmental working group composed of eminent persons from the various regions to work with the High Commissioner for Human Rights and United Nations bodies in the framework of the Durban Declaration and Plan of Action. All regional groups should appoint representatives to submit recommendations on the implementation of measures to eliminate racial discrimination in the short and medium term. His delegation also welcomed the establishment of the Anti-Discrimination Unit in the Office of the High Commissioner for Human Rights and looked forward to the activities to be organized by the various United Nations agencies, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Labour Organization (ILO) and the United Nations Children's Fund (UNICEF). It was important to stress the importance of educational programmes aimed at eradicating all forms of racism and intolerance and the need to teach children their rights and freedoms and respect for the rights and freedoms of others. The Philippines thus supported the efforts of UNICEF to address racism in the context of education.

11. His delegation was deeply concerned at the situation of migrant workers, who were ill treated and denied protection on the pretext that they were not citizens. Migrant workers brought benefits to their countries of both origin and destination and deserved just and equitable treatment. They too were in need of protection. In that regard, he looked forward to the

international protection of the rights of migrant workers, particularly women migrant workers, who were the most vulnerable to discrimination.

12. **Ms. Kusorgbor** (Ghana) said that, a year after the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, the international community's commitment to combating racism appeared ambivalent, while manifestations of racism were increasing throughout the world. However, Ghana was encouraged by the modest steps taken to implement the Durban Declaration and Programme of Action, in particular the adoption of Commission on Human Rights resolution 2002/68. Her delegation also attached great importance to the commencement of the work of the Anti-Discrimination Unit of the Office of the High Commissioner for Human Rights, which it hoped would be given the necessary resources and support to enable it to function efficiently in cooperation with Member States and other relevant parties.

13. Racism, often sparked by feelings and thoughts of superiority based on race, colour, sex, ethnicity, language and religion, was without doubt a social cancer, beginning at the interpersonal level but transcending the local, national and international levels. In that regard, while cooperation at the international level was required, decisive national actions were crucial. In Ghana, discrimination of whatever type was abhorred and Ghana's Constitution contained provisions relating to fundamental human rights and freedoms, in which it was categorically stated that no one should be discriminated against on grounds of gender, race, colour, ethnic origin, religion, creed or social or economic status. Ghana's historical experience and its witnessing of the consequences of violent conflicts in other areas of the African continent as a result of ethnic discrimination had strengthened the Government's resolve to curb any such negative tendencies before they became a national problem. Nevertheless, the role of the international community in the task of eradicating racism and intolerance should not be downplayed. In that connection, her delegation looked forward to the establishment of a working group of five independent experts to make recommendations for the implementation of effective measures to eliminate racial profiling of people of African descent. Her delegation echoed the call made by the representative of Venezuela on behalf of the Group of

77 and China, to the effect that the two regional groups that had not yet nominated their experts should do so as soon as possible. All States must remain strongly committed to dealing decisively with all forms of racism and racial discrimination; the task must not be left on the shoulders of the victims of fundamental human rights abuses alone. Ghana reaffirmed its willingness to support international initiatives to make the goals of the Durban Declaration and Plan of Action a reality.

14. **Mr. Vienravi** (Thailand) said that racism, racial discrimination, xenophobia and related intolerance were the cause of many conflicts and the major obstacle to the promotion of human rights, human dignity and respect for cultural and religious diversity. As a collective exercise in the implementation of the Durban Declaration and Programme of Action, Thailand's Ministry of Foreign Affairs had organized in August 2002 an informal seminar on racism and racial discrimination, which had received an enthusiastic response from government agencies, non-governmental organizations, the media and the public. It was noteworthy that it was the Ministry's first seminar to have been attended by members of the hill tribes. Also, as part of a consciousness-raising campaign, the Declaration and Programme of Action had been circulated in English, with a summary in Thai. The international community should develop further the comprehensive framework set out therein in addressing discrimination in its various manifestations, and should bear it in mind when taking action on other problems, such as the HIV/AIDS epidemic or the promotion of gender equality and the well-being of children, older persons and persons with disabilities. At the same time, the anti-discrimination agenda established by the World Conference should be mainstreamed when implementing related commitments made at the other major conferences. The events of 11 September and their aftermath had underscored the urgency of action taken against discrimination.

15. While doing its utmost to address the consequences of discrimination, the international community must also address its root causes. Education, awareness-raising and intercultural exchanges, including the pursuit of a culture of peace and dialogue among civilizations, were essential. Poverty, underdevelopment, social exclusion and economic disparities, which were closely associated

with racism, racial discrimination, xenophobia and related intolerance, must also be addressed. Legislative, administrative and other measures should be strengthened to prevent discriminatory acts and protect the victims. International cooperation in that fight was important, but action must also begin at home. Children must be taught to appreciate the value of diversity and harmony, and the family had a crucial role to play in that regard. Anti-racism and anti-discrimination components must also be incorporated in school curricula and in the training programmes for public officials. Information and communication technologies should be put to optimum use to promote mutual understanding and cross-cultural respect. All sectors of society, including religious institutions, the private sector and the media, could make a contribution to that effort.

16. Thailand was blessed with a harmonious society where people of different races, religions and backgrounds lived side by side. Tolerance was part of its social norms, and the Constitution explicitly guaranteed equal rights and prohibited unjust discrimination on grounds such as origin, race, language, sex, age, physical condition or health, religion or belief. Thailand was a party to the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and was taking steps to accede to the International Convention on the Elimination of All Forms of Racial Discrimination. Lastly, the Government was determined to implement the strategies envisaged in the Durban Declaration and Programme of Action. The international community had a collective responsibility to eliminate racism, racial discrimination, xenophobia and related intolerance, so that all human rights and fundamental freedoms could be realized fully and the principles of human dignity, equality and tolerance upheld.

17. **Mr. Leal Cordeiro** (Angola), associating himself with the statement made by South Africa on behalf of the member States of the Southern African Development Community (SADC), said that the controversial atmosphere that had dominated the debates prior to the adoption of the report of the World Conference in Durban had thrown into relief the delicate nature of the issue involved. The persistence of racism, racial discrimination, xenophobia and related intolerance and the emergence of new forms of racism and discrimination were obstacles to development, and

consequently the international community had to make a concerted effort to address those problems, which were often the cause of instability and conflict. Measures should also be taken to heighten public awareness of the deleterious effects of racism both nationally and internationally. In that connection, all nations should collectively initiate a comprehensive programme of action and put in place constitutional, legislative and administrative guarantees to protect individuals against discrimination.

18. Angola had made tremendous progress since the end of the colonial period, and its independence had served to eradicate five centuries of racial discrimination. The Government emphasized equality of rights for all ethnic groups and their harmonious coexistence. However, the thousands of Angolan citizens displaced around the world by decades of civil conflict were exposed to discrimination and in many instances endured violations of their civil rights and liberties. Angola wanted to work with other States to correct such inequities at the regional and international levels, and therefore welcomed the establishment of the Anti-Discrimination Unit in the Office of the United Nations High Commissioner for Human Rights. In the new era, it was imperative to continue to adhere to the noble ideals delineated in the Universal Declaration of Human Rights and the human rights conventions, covenants and related protocols. Furthermore, education and socio-economic development were essential for the elimination of racism, racial discrimination and xenophobia, all closely related problems that could have a devastating impact on peace, stability and development. Hence the need for full achievement of the Millennium Development Goals.

19. Angola condemned the use of mercenaries to prevent enjoyment of the right of self-determination by all peoples. It therefore took issue with the incorrect interpretation given at an earlier meeting by the representative of the Office of the United Nations High Commissioner for Human Rights of the presentation by the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, which could lead to the erroneous conclusion that the Government of Angola supported the use of mercenaries in conflict situations. Angola supported

the report of the Special Rapporteur (A/57/178) and the extension of his mandate.

20. **Mr. Knyazhinskiy** (Russian Federation) said that, despite efforts by the international community, racism, racial discrimination, xenophobia and aggressive nationalism persisted in virtually all countries. It was therefore important to maintain an open dialogue, such as that which had taken place at the Durban Conference. The Declaration and Programme of Action of that Conference offered practical guidance for the eradication of those problems. Prevention of discrimination should be the focus of policies relating to all areas of social life, since racist and extremist ideas fomented terrorism. In that regard, his Government had adopted a programme to promote tolerance and prevent extremism in Russian society, which envisaged the adoption of measures aimed at enhancing inter-faith dialogue and preventing conflict. The programme also addressed relations with disabled persons and minorities and the issues of homeless children. It was essential to continue developing statutory and legal bases and State institutions that promoted tolerance, to strengthen the role of the media in combating intolerance and to incorporate the teaching of tolerance into education. The Federal Act against Extremist Activities, enacted in July 2002, defined extremist activity as inciting racial, national or religious violence and advocating exclusion and ideas of superiority or inferiority based on race, nationality, religion or language. The Act also established stiff penalties for such activities.

21. In his delegation's view, the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Office of the United Nations High Commissioner for Human Rights and other special mechanisms was fundamental and they must work closely with Governments. It hoped that a constructive dialogue would take place with the Committee on the Elimination of Racial Discrimination (CERD) in March 2003, when the report of the Russian Federation on its implementation of the relevant international instruments was considered. The decisions adopted at the Durban Conference or on the basis of its documents must be implemented in a spirit of goodwill and on the understanding that combating racism was the responsibility of the entire international community. In that regard, sufficient funding would have to be provided to the Working Group on People of African

Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, and all United Nations bodies, specialized agencies and programmes should contribute to the implementation of those documents.

22. **Mr. Alabi** (Nigeria) said that his delegation associated itself with the statement made by Venezuela on behalf of the Group of 77 and China and that his country, which had participated actively in the Durban Conference and in the preparatory activities, welcomed the series of regional seminars and workshops on racism and development, in particular the Regional Seminar on Afro-descendants in the Americas, organized by the Office of the High Commissioner for Human Rights (OHCHR) in La Ceiba, Honduras, from 21 to 24 March 2002, and the workshop sponsored by UNAIDS and OHCHR on HIV/AIDS and human rights, organized in October 2001 by the Asia Pacific Forum of National Human Rights Institutions. His delegation hoped that similar workshops would be held in other regions of the world.

23. His Government had created a special committee to advise it on the implementation of the Durban Declaration and Programme of Action and already had legislation and institutional mechanisms in place to promote equal opportunities in education and socio-economic development for all, including ethnic minorities, women and children. Because of the country's multi-ethnic, multi-religious nature, all Governments in Nigeria since 1960 had pursued a policy of national reconciliation aimed at peace, social cohesion and national security. The Government was implementing policies that would ensure care for all those affected by HIV/AIDS and was carrying out an intensive awareness campaign to promote respect for their rights, which were guaranteed by the Constitution. In that regard, Nigeria appreciated the invaluable support of United Nations bodies such as UNAIDS, UNICEF, ILO, the United Nations Development Programme (UNDP) and UNESCO.

24. His delegation noted with concern that despite the undertaking made by many Governments to combat it, racism continued to be resurgent around the world with migrants and refugees the principal victims. Migrant women and unaccompanied minors, mostly of African origin, continued to experience the most inhumane forms of racial hatred and xenophobic violence, even in some of the so-called "developed" countries. Some of

those women and children were victims of human trafficking, another problem which the international community needed to solve as quickly as possible. Nigeria intended to host an international conference on that question the following year.

25. As the report of the Special Rapporteur (A/57/204) indicated, the resurgence of racial discrimination and xenophobia could be attributed to a number of factors, including the emergence of nationalist and extreme-right parties in a number of countries, immigration measures and racial profiling, security measures adopted after the events of 11 September 2001, intolerance and stigmatization of Muslims and Arabs, a rise in anti-Semitic acts and the use of the Internet to disseminate racist propaganda. All Member States must resolutely condemn all laws, practices and doctrines of racial superiority and should also ratify the International Convention on the Elimination of All Forms of Racial Discrimination in order to reach the target, established in the Durban Programme of Action, of universal ratification by 2005. Greater support and funding should be provided to the Anti-Discrimination Unit of the Office of the High Commissioner for Human Rights, to assist it in carrying out its mandate to implement the Durban Declaration and Programme of Action and the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

26. His delegation regretted that the outgoing Special Rapporteur had been unable to conclude his mission because of lack of cooperation by some Governments and, in view of the increasing incidence of contemporary forms of racism and racial discrimination, urged all Member States to cooperate with the new Special Rapporteur.

27. *Mr. Morikawa (Japan), Vice-Chairperson took the Chair.*

28. **Mr. Kumar Panja** (India) highlighted the importance of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban in September 2001, which had reflected the will of the international community to recognize the global ill of intolerance of ideas, faiths, colour and creed and to take effective measures towards mankind's universal quest for dignity and equality. In his report, (A/57/83), the Secretary-General indicated that there had been a resurgence of racism, racial discrimination and xenophobia in various parts

of the world, affecting migrants and refugees in particular. Implementation of the Durban commitments was therefore of key importance. India's commitment to the elimination of the scourge of racism was historic and well recognized; the contribution of its great and noble philosophers, including Mahatma Gandhi, to the fight against racism had been significant and memorable. It was therefore natural that the Indian Constitution and Penal Code contained safeguards against the dissemination of ideas that promoted discord in the country and expressly prohibited discrimination on the grounds of both race and caste. The instruments of governance and the energetic and committed non-governmental sector could together triumph over the historic injustices that had hurt the weaker sections of Indian society, particularly the dalits and Adivasis, in keeping with the age-old Indian philosophy that the whole world was one family.

29. With regard to the recent reference by the representative of Pakistan to events in the Indian state of Gujarat, he recalled that the President and the Prime Minister of India had expressed their deepest anguish and that a team from the National Human Rights Commission, as well as other private and public bodies, had visited the area to monitor the situation. While, there was still need for vigilance, especially in the light of attempts by outside elements to exacerbate the situation, such as the act of terrorism perpetrated in the temple complex of Akshardham in Gujarat, which had been condemned worldwide, the situation was returning to normal. The incidents in Gujarat had been condemned by all Indians and the country's democratic institutions were strongly rooted and capable of dealing with their effects. It was therefore a great pity that the incidents should be used to vilify the institutions of democratic governance in India, especially by those whose experience and traditions were so alien to the democratic spirit. His Government categorically denied the misinformation being disseminated by its neighbour, which was typical of military regimes whose lack of accountability and whimsicality even infected their behaviour during their occasional lapses into the surface manifestations of democracy and the rule of law. It was unfortunate that the representative of Pakistan had chosen the forum of the Third Committee to denigrate the elected political leaders of India, including the Prime Minister, in his statement under the current agenda item. Perhaps nothing better could be expected from the representative of a military dictatorship which had required a farcical referendum.

constitutional amendments and legal framework orders to legitimize itself.

30. Turning to the right of peoples to self-determination, he said that India had been privileged to play a leading role in the historic struggle for decolonization. As a founding member of the Non-Aligned Movement, it had been at the forefront of initiatives which had led to recognition of the right of peoples to self-determination. That the majority of the current membership of the United Nations were former colonies was a measure of the success of that struggle. India had been unwavering in its solidarity with the people of Palestine, who had struggled bravely over the preceding five decades to attain their inalienable rights, including the right of self-determination.

31. The concept of self-determination must be placed in historical perspective. Relevant international principles reaffirmed India's consistent view that self-determination was a right applicable to the people of non-self-governing colonies and trust territories. Once exercised, that right enabled a whole people freely to choose their own form of government and all segments of society collectively to participate in national decision-making through representative, democratic institutions. That concept could not therefore become an instrument to promote subversion and erode the political cohesion or territorial integrity of sovereign Member States of the United Nations. The international community had consistently affirmed that the right of self-determination did not extend to component parts or groups within independent sovereign States and that any attempt partially or totally to disrupt their national unity was incompatible with the purposes and principles of the Charter of the United Nations.

32. Taken out of context, self-determination could be abused by interested parties to encourage secession and undermine multi-ethnic, pluralistic and democratic States. The Committee had earlier heard Pakistan's ritual propaganda regarding the right of self-determination. Pakistan, whose own people had been deprived of their democratic rights for most of its history and which had ruled as a virtual colony the part of the Indian state of Jammu and Kashmir which it occupied illegally, had abused the concept of self-determination to bolster its agenda of territorial expansion through terrorism against India.

33. The state of Jammu and Kashmir had never been part of British India. It was Mr. Muhammah Ali Jinnah,

the founder of Pakistan, who had insisted that the rulers of the "Indian states" should choose between India and Pakistan without reference to the will of their people. The initial infiltration had been planned and carried out by the Government of Pakistan, as explained in the book written by one of the perpetrators of the aggression, General Akbar Khan. The Maharaja of Jammu and Kashmir had appealed to India for help in defending his territory, to which India's response had been that that would require that the state formally accede to India, which the Maharaja had done in a letter on 26 October 1947. It was only after that that Indian troops had been sent to repel the aggression. It was India that had taken the matter to the Security Council. The Security Council resolutions accepted by India had clearly envisaged the withdrawal of all Pakistan's forces, while India was required to keep sufficient troops there for security and law and order. The will of the people could be ascertained only after Pakistan withdrew. By not withdrawing, Pakistan had effectively rendered the Security Council resolutions impossible to implement. It had therefore been left to India in subsequent years to establish the normal processes of democratic rule and governance in Jammu and Kashmir, in accordance with the Constitution of India promulgated in 1950 and approved by the constituent assembly of the state. Jammu and Kashmir had been and continue to be an inalienable part of the Union of India.

34. In its terrorist outrages against India, Pakistan had received help, inter alia, from the former Taliban regime of Afghanistan. The terrorism perpetrated by Pakistan had been responsible for widespread killings of innocent civilians, many of them from the Indian state of Jammu and Kashmir whose interests Pakistan was pretending to promote. Pakistan had continued to encourage and justify terrorism against India, and its calls for dialogue, made for public consumption, therefore rang completely hollow. The steps taken by India, including heightened vigilance on its borders, in the wake of the Pakistan-supported attack on its Parliament must be seen as self-defence in response to Pakistan's proxy war of terrorism against India which had lasted for over 20 years. Pakistan should first ensure the right of self-determination for its own people before sermonizing to others.

35. In his report on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, the Special

Rapporteur recommended that special attention should be paid to combating the involvement of mercenaries in illicit arms trafficking, which served to fuel and prolong armed conflicts, and that more effort must be put into developing legal instruments to facilitate prosecution of that crime and mobilizing the political will of States to suppress that illicit traffic effectively. He also recommended that, since mercenaries were also used in acts of terrorism, the mercenary aspect should be reflected in United Nations analysis, follow-up and resolutions on terrorism, as well as in national legislation.

36. **Mr. Hamad** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that UNESCO had already taken a number of steps towards implementing the Durban recommendations. In May 2002, its Executive Board had adopted the UNESCO strategy for follow-up to the World Conference. A new section had been established within the Social and Human Sciences Sector of the Secretariat, with the specific mandate to contribute to the fight against racism. Ongoing projects would continue and be enhanced.

37. The intrinsically ethical and intellectual nature of the mandate and programmes of UNESCO meant that combating all forms of intolerance was at the top of its list of priorities in any domain in which it could claim a comparative advantage. That was particularly the case with education and, in the follow-up to Durban, UNESCO would persevere in its efforts to promote quality education aimed at enhancing behavioural values in order to nurture understanding among peoples, cultures and societies. In close cooperation with the Office of the High Commissioner for Human Rights, UNESCO would be pursuing the fulfilment of the goals of the United Nations Decade for Human Rights Education (1995-2004). Anti-discrimination components in human rights education would be enhanced, notably through innovative and practical educational methods and the publication of materials clarifying the content of international standards and procedures in order to facilitate their implementation. Every effort would also be made to encourage the revision of textbooks with a view to eliminating racial, ethnic, religious and cultural stereotypes. Inspired by the task entrusted to it in Durban, UNESCO would support States in the preparation of teaching materials and tools for promoting educational and training activities relating to the struggle against racism. On 27

and 28 November 2002, the Office of the High Commissioner and UNESCO would be holding a workshop to develop educational materials designed to foster tolerance and eliminate prejudice.

38. Scientific research was another field in which UNESCO could make a significant contribution to the system-wide follow-up to Durban, with a view to elucidating further the pseudo-scientific character of racist theories and the ensuing manifestations of racism and racial discrimination. Particular emphasis would be placed on the economic and cultural dimensions of discrimination, including its links with poverty. UNESCO was also determined, within the resources available to it, to lend full support to the Office of the High Commissioner for Human Rights in the implementation of paragraph 195 of the Durban Programme of Action, which invited the latter, in consultation with UNESCO, to undertake regular consultations and encourage research activities aimed at collecting, maintaining and adapting the technical, scientific, educational and information materials produced by all cultures around the world to fight racism.

39. In two other related fields in which UNESCO had a specific mandate, namely culture and communication, the Organization would spare no effort to promote the application of human rights and fundamental freedoms in cyberspace, through the expression of pluralism and cultural diversity in the media and world information networks. Partnership with the media, non-governmental organizations and civil society was of paramount importance, particularly for the production and dissemination of audio-visual programmes reflecting the concerns of specific groups, such as linguistic minorities. UNESCO would also continue to promote the free flow of information, and universal access to it, with a view to empowering citizens, regardless of religious, ethnic, racial or other considerations.

40. At the country level, UNESCO, through its decentralized regional and subregional offices, would undertake a series of country-oriented projects to implement the Durban recommendations. One privileged modality at its disposal was the UNESCO Chairs in human rights, democracy, peace and tolerance. Those Chairs would be provided with the necessary support to make a contribution to the Durban process.

41. UNESCO would seek to combine its efforts in the struggle against discrimination with those of its sister agencies and relevant entities of the United Nations system, such as the Office of the High Commissioner for Human Rights, ILO, the World Health Organization and UNICEF, and partners from outside the United Nations system, such as the Council of Europe, the African Union and the International Organization for Migration.

*The meeting rose at 4.45 p.m.*